

THURSDAY, MARCH 30, 1978

EIGHTY-THIRD LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bill Richardson of Maury County.

Representative Richardson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

The Speaker announced that Representative DePriest was excused because of death in the family.

The Speaker announced that Representative Robertson was excused because of business.

Mr. Burnett (Fentress) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 555 out of order, which motion prevailed.

House Joint Resolution No. 555 — Relative to providing for a recess, Ninetieth General Assembly — By Burnett (Fentress).

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Burnett (Fentress) moved that House Joint Resolution No. 555 be adopted, which motion prevailed by the following vote:

Ayes 84
Noes 1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 84.

Representative voting no was: Copeland — 1.

A motion to reconsider was tabled.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, March 30, 1978: Senate Joint Resolutions Nos. 248, 249, 252 and 253.

LANIER, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

226 — Relative to study, pay of state employees, Fiscal Review Committee;

239 — Relative to confirming appointment Mr. Thomas K. Gordon, Tennessee Energy Authority;

279 — Relative to memory, Meredith G. Ferguson;

281 — Relative to birth, Caroline Wainman Rubenstein; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1828 — To amend Section 67-2704 (b), Code;

2393 — To amend Section 6-2608, Code;

2584 — To regulate Williamson County School Board; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

367 — Relative to confirming appointment, William H. Roberts;

368 — Relative to confirming appointment, Bernard A. McDermott;

422 — Relative to comprehensive listing of population inclusion and exclusion provisions; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

2327 — To amend Section 13-2321, Code;

2437 — To amend Section 53-1301, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1778 and 2158, with his approval.

EDDIE SISK,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 932, 1727, 1970, 2262, 2263, 2456, 2466, 2474, 2494 and 2523; also, Senate Joint Resolutions Nos. 158 and 243; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 932, 1727, 1970, 2262, 2263, 2456, 2466, 2474, 2494 and 2523; Senate Joint Resolutions Nos. 158 and 243.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

329 — To amend Section 67-511, Code;

1538 — To amend Title 40, Chapter 12, Code;

2010 — To regulate prisoner release;

2016 — To amend Section 67-2605, Code;

2154 — To amend Title 53, Chapter 13, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2433 — To amend Title 53, Code.

The Senate reconsidered passage of the bill, reconsidered adoption of Senate Amendment No. 1, withdrew Senate Amendment No. 1, then repassed the bill on third and final reading.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

549 — Relative to mourning death, Frank Callaghan; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2572 — To create County Planning Commission, Blount County; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

196 — Relative to study, purchasing statutes and regulations;

225 — Relative to study, property tax laws;

311 — Relative to study, coordination of certain benefits;

328 — Relative to study, index to measure annual growth of appropriations; all amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 395, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. McKinney, House Bill No. 395 was returned to the Senate as requested.

Mr. Darnell moved that the rules be suspended for the purpose of recalling House Bill No. 2594 from the Committee on Calendar and Rules, which motion prevailed.

Mr. Darnell moved that the rules be suspended for the immediate consideration of House Bill No. 2594, which motion prevailed.

House Bill No. 2594 — To make provisions regulating the sale of beer.

Mr. Darnell moved that House Bill No. 2594 be passed on third and final reading.

Mr. Darnell moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2594 by deleting Section 1 in its entirety and by substituting instead a new Section 1 as follows:

SECTION 1. Tennessee Code Annotated, Section 57-221, is amended by inserting an additional paragraph between the present fourth and fifth paragraphs of the section as follows:

In those counties with a population of two hundred thousand (200,000) or fewer persons according to the 1970 federal census or any subsequent census which also contain an active military base, and in which any municipality has authorized the sale of liquor by the drink, as provided in Tennessee Code Annotated, Section 57-152 through 57-164, the hours for the sale of beer (as defined in Tennessee Code Annotated, Section 57-302 (b)), in that part of the county outside of incorporated municipalities and in all of its municipalities which have authorized the sale of liquor by the drink, shall be determined by rules and regulations promulgated by the appropriate legislative body of any such county or municipality. This paragraph shall not apply to counties and municipalities that have legalized the sale of liquor by the drink by a county-wide referendum.

The amendment was adopted by the following vote:

Ayes.....	51
Noes.....	18
Present and not voting	10

Representatives voting aye were: Bell, Bishop, Bragg, Burks, Burnett (Fentress), Bussart, Butler, Byrd, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Johnson, Kernell, Lanier, Lashlee, Love, McKinney, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Stafford, Starnes, Tanner, Wallace, Withers, Wolfe, Work and Young — 51.

Representatives voting no were: Bewley, Burleson, Burnett (Sumner), Carter, Chiles, Elkins, Hall, Hillis, Hurley, Jensen, McAfee, Richards, Shockley, Smith, Stallings, Turner, Watson and Webb — 18.

Representatives present and not voting were: Atchley, Cawood, Henry, Martin, Moore, Richardson, Scruggs, Wood, Yelton and Mr. Speaker McWherter — 10.

Thereupon, House Bill No. 2594, as amended, passed its third and final reading by the following vote:

Ayes.....	76
Noes.....	1
Present and not voting	9

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hood, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Stafford, Stallings, Starnes, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Work, Yelton and Young — 76.

Representative voting no was: Hurley — 1.

Representatives present and not voting were: Burnett (Sumner), Chiles, Gill, Hillis, Richardson, Shockley, Turner, Wood and Mr. Speaker McWherter — 9.

A motion to reconsider was tabled.

CALENDAR

Mr. Jensen moved that House Bill No. 1079 be placed on the Calendar for Monday, April 24, 1978, which motion prevailed.

House Bill No. 2194 — To prohibit carrying of weapons by convicted felons.

Mr. Elkins moved that House Bill No. 2194 be passed on third and final reading.

Mr. Murray (Franklin) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2194 by inserting between the words "revolver" and "shall" in the fifth line of the amendatory language of Section 1 the following:

with the intent of going armed as provided in Section 39-4901

On motion, the amendment was adopted.

Mr. Murray (Franklin) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2194 by inserting in the fourth line of the amendatory language after the word "who", the following word:

"CARRIES"

On motion, the amendment was adopted.

Thereupon, House Bill No. 2194, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	4
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bewley, Blackburn, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 79.

Representatives voting no were: DeBerry, McKinney, Stafford and Withers — 4.

Representatives present and not voting were: Bishop and Murphy (Shelby) — 2.

A motion to reconsider was tabled.

Ms. Gaia moved that Senate Bill No. 2166 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

CONSENT CALENDAR

Mr. Lanier moved that the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King,

Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 92.

Senate Joint Resolution No. 248 — Relative to sympathy, Mayor Milton DeVault.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 249 — Relative to sympathy, Hugh Grant Nelson.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 252 — Relative to commending Navy Veteran Frank H. Anderson.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 253 — Relative to commending Archie Griffin, Mike McCoy, Norm Evans, John Small, Sammy Hall, Bobby Richardson and Frank Anderson.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Bissell asked to be recorded as voting aye on House Bill No. 2194 and the Consent Calendar.

Senate Joint Resolution No. 239 — Relative to confirming appointment Mr. Thomas K. Gordon, Tennessee Energy Authority.

Mr. Watson moved that Senate Joint Resolution No. 239 be concurred in, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson

(Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

Senate Joint Resolution No. 281 — Relative to birth, Caroline Wainman Rubenstein.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Martin, the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 279 — Relative to memory, Meredith G. Ferguson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Robinson (Hamilton), the resolution was concurred in.

A motion to reconsider was tabled.

On motion, Senate Joint Resolutions Nos. 256, 262 and 263 were recalled from the Committee on Calendar and Rules.

Senate Joint Resolution No. 263 — Relative to congratulating Merl Smith and Livingston Girl's basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett (Fentress), the resolution was concurred in.

A motion to reconsider was tabled.

Senate Joint Resolution No. 256 — Relative to congratulating Coach Sam Gibson and Pickett County High School Girls basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Dixon, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Byrd moved that the rules be suspended for the purpose of introducing House Resolution No. 178 out of order, which motion prevailed.

House Resolution No. 178 — Relative to thanking Representative Charles R. Ashford — By Byrd, Gill, Turner, Moore, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Byrd, the resolution was adopted.

A motion to reconsider was tabled.

Senate Joint Resolution No. 262 — Relative to appreciation, certain legislative employees.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Ellis, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Hall moved that the rules be suspended for the purpose of introducing House Resolution No. 180 out of order, which motion prevailed.

House Resolution No. 180 — Relative to honoring Con Hunley of Knoxville — By Hall, Smith, Scruggs, Miller, Nolan, Richards and Bissell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hall, the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 181 out of order, which motion prevailed.

House Resolution No. 181 — Relative to congratulating Mr. Charles Walker — By DeBerry, Ford (Shelby) and Brewer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 182 out of order, which motion prevailed.

House Resolution No. 182 — Relative to congratulating Ms. Sharon Drake — By DeBerry, Ford (Shelby) and Withers.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Ozment moved that the rules be suspended for the purpose of introducing House Resolution No. 179 out of order, which motion prevailed.

House Resolution No. 179 — Relative to studying food resources, etc., among children in Tennessee — By Ozment.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Ozment moved that House Resolution No. 179 be adopted, which motion prevailed by the following vote:

Ayes.....	70
Noes.....	0
Present and not voting	4

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Burks, Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Kernell, King, Lanier, Lashlee, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Withers, Yelton, Young and Mr. Speaker McWherter — 70.

Representatives present and not voting were: Chiles, Johnson, Wolfe and Wood — 4.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer Speaker pro tem.

Senate Joint Resolution No. 226 — Relative to study, pay of state employees, Fiscal Review Committee.

Mr. Naifeh moved that Senate Joint Resolution No. 226 be concurred in, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 84.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1350 — To amend Section 64-704, Code.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1 and 2.

The Speaker appointed a Conference Committee composed of Senators Nave, O'Brien and Moore to confer with a like Committee from the House in resolving the differences of the two bodies on Senate Bill No. 1350.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Phillips filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that under House Rule No. 70, a Conference Committee of three (3) members from the House be appointed to meet with a like committee from the Senate to resolve the differences between the two bodies on Senate Bill No. 1350.

CLARENCE PHILLIPS

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Dixon, Ashford and Phillips as the House Conference Committee on Senate Bill No. 1350.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2016 — To make certain provisions, inmate furloughs.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2016 by deleting section 2 in its entirety and substituting instead the following:

Section 2. Tennessee Code Annotated, Section 41-356, is further amended by adding the following:

All inmates while on furlough under subpart (a) and have more than ninety (90) days remaining before release or mandatory parole or release without parole shall be accompanied by a department of correction guard.

Mr. Murray (Madison) moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

264 — Relative to commending Sharon Harrison;

265 — Relative to commending Virginia Adams;

266 — Relative to commending Dorothy Ruth Primm;

- 267 — Relative to congratulating Austin Peay State University women's basketball team;
- 268 — Relative to Waverly disaster;
- 269 — Relative to honoring Esther Swink;
- 270 — Relative to honoring Police Officer Dennis Birdwell;
- 271 — Relative to commending Johnson City Press Chronicle;
- 272 — Relative to honoring Linda Faye Moore;
- 273 — Relative to commending Tennessee YMCA Youth Legislature; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 196 — Relative to studying purchasing statutes.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution 196 by changing the words '90th General Assembly' to the '91st General Assembly'.

SENATE AMENDMENT NO. 2

Amend House Joint Resolution 196 by amending the resolving clause to add the following words after the words "Fiscal Review Committee" "two senators appointed by the Speaker of the Senate and one Representative appointed by the Speaker of the House who shall belong to either the Fiscal Review Committee or the respective Finance Committees of both Houses."

Mr. Blackburn moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

Mr. Blackburn moved that the rules be suspended for the immediate consideration of House Bill No. 2588, which motion failed by the following vote:

Ayes.....	64
Noes.....	7
Present and not voting	4

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Hillis, Hood, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Withers, Wolfe, Work, Yelton and Mr. Speaker McWherter — 64.

Representatives voting no were: Hall, Hurley, Richards, Scruggs, Shockley, Smith and Wood — 7.

Representatives present and not voting were: Elkins, Ford (Cocke), Good and Robinson (Hamilton) — 4.

FURTHER CONSIDERATION OF HOUSE BILL NO. 2030

House Bill No. 2030 — To make certain provisions, medical assistance.

Mr. Burnett (Fentress) moved that the motion to reconsider House Bill No. 2030 be lifted from the table, which motion prevailed.

Mr. Burnett (Fentress) moved that the House reconsider its action in concurring in Senate Amendments Nos. 1 and 2, which motion prevailed.

Mr. Burnett (Fentress) moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed.

Mr. Burnett (Fentress) moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	81
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 81.

A motion to reconsider was tabled.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 225 — Relative to studying property assessments.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 225 by changing the period at the end of the fourth line of page 3 to a comma and adding the following language:

House Bills 2070 and 2071 as introduced during the 90th General Assembly.

AND FURTHER AMEND by changing in the first new paragraph of page 3 the reference to one (1) county judge or county chairman to read "two (2) county judges or county chairmen"; changing the reference to one (1) mayor to read "two (2) mayors"; and changing the reference to one member of the State Board of Equalization to read "two (2) members of the State Board of Equalization".

AND FURTHER AMEND by changing in the first new paragraph of page 3 the reference to January 15, 1978, to read "February 1, 1979".

AND FURTHER AMEND by changing the word "Ninetieth" to "Ninety-first" in the last sentence of the first new paragraph on page 3 and in the caption.

SENATE AMENDMENT NO. 2

Amend House Joint Resolution No. 225 by amending the second paragraph of the the resolving clause by deleting the word "Ninetieth" and substituting in lieu thereof the word "Ninety-first" and further amend by deleting "1978" and substituting in lieu thereof "1979".

Mr. Bragg moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	76
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hurley, Johnson, Kernell, King, Lashlee, Ledford, Longley, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work and Mr. Speaker McWherter — 76.

A motion to reconsider was tabled.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 328 — Relative to studying the annual growth of certain appropriations.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 328 by deleting the first three (3) clauses of the preamble in their entirety and by substituting instead the following:

WHEREAS, the people of Tennessee On March 7, 1978, overwhelmingly adopted Proposal 9 which amends Article 2, Section 24 of the Tennessee Constitution so as to place reasonable controls on state spending practices; and

AND FURTHER AMEND, by deleting the words and punctuation “, contingent upon approval of the proposed amendment to Article 2, Section 24 of the constitution,” from the first resolving clause.

AND FURTHER AMEND, by adding the following resolving clause before the last resolving clause:

BE IT FURTHER RESOLVED, That particular attention be given to the requirement that the state share in costs mandatory expenditures by local governments with emphasis on determining what is meant by the word “share” and developing a means to determine which legislation will require the state to share in the cost.

BE IT FURTHER RESOLVED, That the members of the committee established by House Joint Resolution 481 be kept informed of progress on implementing the directives of this resolution and notified of meetings dealing with this issue.

Mr. Bragg moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2327 — To amend Section 13-2321, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2327 by changing the words and figures “five hundred seventy-eight million dollars (\$578,000,000)”, in Section 1, to read “three hundred fifty-three million dollars (\$353,000,000),”

and further amend Section 1 by adding a new subsection as follows:

(3) From the proceeds of bonds issued in excess of two hundred seventy-eight million dollars (\$278,000,000) a sum not to exceed twenty-five million dollars (\$25,000,000) shall be available for multi-family, rental housing, it being the legislative intent herein expressed that, in the future allocation of funds, the Agency shall give priority to programs of home ownership. Financial assistance through the Agency may, when authorized by statute, be either in the form of construction loans or permanent mortgages.

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Senate Amendment No. 1 by striking from Subsection 3 the last sentence there, which reads as follows:

Financial assistance through the Agency may, when authorized by statute, be either in the form of construction loans or permanent mortgages.

Mr. Bragg moved that the House concur in Senate Amendment No. 1, as amended, which motion prevailed by the following vote:

Ayes.....	85
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chilea, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2437 — To amend Section 53-1301, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 2437 by deleting the amendatory language of Section 1 of said act and substituting in lieu thereof the following language:

"The institutional home for the aged shall be subject to licensure and meet all of the requirements of the minimum standards and regulations of nursing homes, except nursing services by a professional nurse. The residential home for the aged shall be subject to licensure and meet such requirements and minimum standards as the board shall prescribe in regulations pursuant to 53-1310. The board shall, after consultation with the state fire marshal, include in such regulations fire safety standards which afford reasonable protection to home for the aged residents without unduly disturbing the residential atmosphere

to which they are accustomed. No license to operate a residential home for the aged shall be issued if the home is not approved by the local zoning, building, and fire safety authorities to provide residential custodial care. Notwithstanding approval of a home by the local authorities, the board shall consider any recommendations of the state fire marshal in deciding whether an application for a license to operate a residential home for the aged ought to be granted. In the absence of local authority, and when deemed necessary by the board, approval of the home by the state fire marshal is required."

Mr. Bragg moved that the House nonconcur in Senate Amendment No. 2, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

32 — To amend Sections 67-645 and 67-646, Code;

777 — To make certain provisions, handicapped persons;

1299 — To amend Section 59-1108, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1951 — To enact "Utilities' Cut-off Procedures Act";

2338 — To establish state code for energy conservation;

2367 — To amend Title 8, Chapter 6 and Title 15, Chapter 3, Code; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2594 and House Joint Resolution No. 555 and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

553 — Relative to honoring C. Henry Hottum, Jr.;

555 — Relative to recess, Ninetieth General Assembly; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2045 — To amend Section 40-2901, Code; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1976, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, House Bill No. 1976 was returned to the Senate as requested.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2154 — To amend Title 53, Chapter 13, Code.

SENATE AMENDMENT NO. 3

Amend House Bill No. 2154 by striking all the language below the enactment clause in its entirety and substituting in its place the following:

Section 1. Tennessee Code Annotated, Title 53, Chapter 13, is amended by adding the following new section:

Upon the assignment of benefits of a health, accident or sickness insurance policy to a hospital, nursing home, home for the aged, ambulatory surgical treatment center or other such health care agency for health care services rendered, by the insured under such policy, the health care agency shall be paid the benefits due under such policy to the extent of the assignment and shall provide the insured a monthly statement for services rendered and payments received under such insurance policy.

Section 2. This act shall take effect on January 1, 1979, the public welfare requiring it.

Mr. Love moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Young and Mr. Speaker McWherter — 82.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 2194

House Bill No. 2194 — To prohibit carrying of weapons by convicted felons.

Mr. Elkins moved that the motion to reconsider House Bill No. 2194 be lifted from the table, which motion prevailed.

Mr. Elkins moved that the House reconsider its action in passing House Bill No. 2194 on third and final reading, as amended, which motion prevailed.

Mr. Elkins moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Elkins moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the word "possesses" in the fourth line of the amendatory language of Section 1.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Thereupon, Amendment No. 2, as amended, was adopted.

Thereupon, House Bill No. 2194, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	7
Present and not voting	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 79.

Representatives voting no were: Brewer, DeBerry, Ford (Shelby), King, McKinney, Pruitt and Withers — 7.

Representatives present and not voting were: Clark, Kernell and Love — 3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1742 — To regulate collection fees from any debtor.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Baird (Wilson), Davis and Hooper to confer with a like Committee from the House in resolving the differences of the two bodies on Senate Bill No. 1742.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Ozment filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that under House Rule No. 70, a Conference Committee of three (3) members from the House be appointed to meet with a like committee from the Senate to resolve the differences between the two bodies on Senate Bill No. 1742.

OZMENT.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Ozment, Bell and Murphy (Davidson) as the House Conference Committee on Senate Bill No. 1742.

Mr. Pickering moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 267, which motion prevailed.

Senate Joint Resolution No. 267 — Relative to congratulating Austin Peay State University women's basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Pickering, the resolution was concurred in.

A motion to reconsider was tabled.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 311 — Relative to studying the coordination of agencies involving alcoholic rehabilitation.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 311 by deleting line 2 of page 2 and inserting the following language: "of four (4) members from the General Welfare Committees of each house chosen by the Speaker of each"

Mr. Smith moved that the House nonconcur in Senate Amendment No. 1, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 32 — To amend Sections 67-645 and 67-646, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 32 by deleting Sections 1 and 2, as amended and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-645, is amended by deleting the words and figures "five thousand dollars (\$5,000)" and by substituting instead the words and figures "six thousand dollars (\$6,000)".

SECTION 2. Tennessee Code Annotated, Section 67-646, is amended by deleting the words and figures "five thousand dollars (\$5,000)" and by substituting instead the words and figures "six thousand dollars (\$6,000)".

Mr. Blackburn moved that the House nonconcur in Senate Amendment No. 2, which motion prevailed.

Mr. Blackburn moved that the rules be suspended for the immediate consideration of House Bill No. 2588, which motion prevailed by the following vote:

Ayes.....	68
Noes.....	5
Present and not voting	2

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Hillis, Hood, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Withers, Work, Yelton, Young and Mr. Speaker McWherter — 68.

Representatives voting no were: Hurley, Richards, Scruggs, Smith and Wolfe — 5.

Representatives present and not voting were: Shockley and Stafford — 2.

House Bill No. 2588 — To provide for a certain election, Sullivan County.

Mr. Blackburn moved that House Bill No. 2588 be passed on third and final reading.

Mr. Blackburn moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2588 by substituting the words and figures "one (1) or more" for the words and figures "two (2)" in the second sentence of Section 1, and by substituting the word "any" for the word "either" in the third sentence of Section 1.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2588, as amended, passed its third and final reading by the following vote:

Ayes.....	60
Noes.....	8
Present and not voting	14

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Hillis, Hood, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Withers, Wolfe, Work, Yelton, Young and Mr. Speaker McWherter — 60.

Representatives voting no were: Carter, Hurley, McAfee, Martin, Richards, Scruggs, Shockley and Smith — 8.

Representatives present and not voting were: Bewley, Burleson, Byrd, Cawood, Chiles, Elkins, Ford (Cocke), Gaia, Gill, Hall, Longley, Robinson (Washington), Stafford and Turner — 14.

A motion to reconsider was tabled.

Mr. Jensen moved that House Bill No. 1079 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Resolution No. 183 out of order, which motion prevailed.

House Resolution No. 183 — Relative to honoring James Collins — By Wallace and Murray (Madison).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1702 — To amend Title 39, Chapter 24, Code;

1740 — To amend Chapter 11, Title 40, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

468 — Relative to study, need for expansion, State Technical Institute; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2486 — To amend Section 56-3333, Code; substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 1613

Senate Bill No. 1613 — To amend Sections 2-211, 2-215, 2-307 and 2-409, Code.

Mr. Murphy (Davidson) moved that the motion to reconsider Senate Bill No. 1613 be lifted from the table, which motion prevailed.

Mr. Murphy (Davidson) moved that the House reconsider its action in passing Senate Bill No. 1613 on third and final reading, as amended, which motion prevailed.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1613 by deleting from the amendatory language of Section 3 the word, symbols, and figures "eleven (11)" and by substituting instead the word, symbols, and figures "ten (10)".

FURTHER AMEND by deleting Section 4 in its entirety and by substituting instead the following:

Section 4. Tennessee Code Annotated, Section 2-307, is further amended by adding the following sentence to the end of subsection (b):

"Provided however, all polling places shall open by eight (8) a.m., prevailing time, in any county having a population in excess of 100,000 according to the 1970 federal census or any subsequent federal census."

FURTHER AMEND by deleting Section 6 in its entirety and by substituting instead the following:

Section 6. This Act shall take effect May 3, 1978, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1613, as amended, passed its third and final reading by the following vote:

Ayes.....	79
Noes.....	0

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Oment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 79.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

HOUSE BILL NO SENATE AMENDMENT

House Bill No. 2367 — To amend Title 8, Chapter 6, and Title 15, Chapter 3, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2367 by deleting the present Section 2 in its entirety and by substituting in lieu thereof the following:

"(3) All books, records, memorandums, papers, communications, tabulations, maps, charts, photographs, mechanical transcriptions, or other tangible documents or recordings, including any attorney's work product, which relate to any pending or contemplated legal or administrative proceeding in which the Office of the Attorney General may be involved and any communication made to or by the Attorney General or any of his assistants in the context of the attorney-client relationship shall be confidential and shall not be open for inspection or divulged to members of the public except by the Attorney General in the discharge of the duties of his Office; provided, however, that such records and documents in the custody and control of the Attorney General shall be open to inspection by elected members of the General Assembly if such inspection is directed by a duly adopted resolution of either house or of a standing or joint committee of either house and is required for the conduct of legislative business."

SENATE AMENDMENT NO. 2

Amend House Bill No. 2367 by renumbering Section 3 as Section 4 and by inserting the following as Section 3:

SECTION 3. Opinions issued by the office of the Attorney General and Reporter pursuant to the duties of Tennessee Code Annotated, Section 8-609 (2), shall be made available for public inspection.

SENATE AMENDMENT NO. 8

Amend House Bill No. 2367 by deleting the present Section 2, as amended, in its entirety and by substituting in lieu thereof the following:

(3)(a) The following books, records and other materials in the possession of the Office of the Attorney General and Reporter which relate to any pending or contemplated legal or administrative proceeding in which the Office of the Attorney General and Reporter may be involved shall not be open for public inspection:

- (i) books, records or other materials which are confidential or privileged by statute, regulation or otherwise;
- (ii) books, records or other materials relating to investigations conducted by state or federal law enforcement or regulatory agencies;
- (iii) the work product of the Attorney General and Reporter or any attorney working under his supervision and control; or
- (iv) communications made to or by the Attorney General and Reporter or any attorney working under his supervision and control in the context of the attorney-client relationship.
- (v) books, records and other materials in the possession of other departments and agencies which are available for public inspection and copying pursuant to Tenn. Code Ann. §§ 15-304 and 15-307.

(b) Books, records and other materials made confidential by this Act which are in the possession of the Office of the Attorney General and Reporter shall be open to inspection by the elected members of the General Assembly if such inspection is directed by a duly adopted resolution of either house or of a standing or joint committee of either house and is required for the conduct of legislative business.

(c) Except for the provisions of subsection (b) hereof, the books, records and materials covered by this Act shall be disclosed to the public only in the discharge of the duties of the Office of the Attorney General.

SENATE AMENDMENT NO. 11

Amend House Bill No. 2367 in Section (3)(a)(i) by striking the following words "statute, regulation or otherwise;" and by inserting therein the following words: "state law."

And Amend Section (3)(a)(ii) by striking the words "state or" following the word "by" and by inserting the word "federal" after the word "or" and before the word "regulatory" and by striking the semi-colon after the word "agencies" and inserting therein a comma, and inserting the following words thereafter: "which are confidential or privileged under federal law."

And amend Section (3)(a)(v) by adding the following sentence at the end of said section: "It is the intent of this section to leave subject to public inspection and copying pursuant to T.C.A. 15-304 and 15-307 such books, records and other materials in the possession of other departments even though copies of the same books, records and other materials which are also in the possession of the Attorney General's Office are not subject to inspection or copying in the office of the Attorney General, provided such records, books and materials are available for copying and inspection in such other departments."

and Amend Section (3)(c) by striking the word "covered" and inserting therein the words "made confidential or privileged"

SENATE AMENDMENT NO. 12

Amend House Bill No. 2367 by inserting before the paragraph designated "(3)(a)" and after the word and figure "SECTION 2" the following directory language:

Tennessee Code Annotated, Section 15-305, is amended by adding a new subsection which reads as follows:

Mr. Murphy (Davidson) moved that the House concur in Senate Amendments Nos. 1, 2, 8, 11, 12, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 80.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2338 — To make certain provisions, energy conservation.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2338 by deleting in Section 3 the words "be responsible for enforcing the provisions of this act" and by substituting instead the words:

publish rules and regulations regarding the effective use of energy in new buildings but shall not be responsible for inspections in such buildings concerning the code for energy conservation established by this act.

SENATE AMENDMENT NO. 2

Section 1 of the Bill shall be amended by deleting the period at the end of the section and replacing it with a semicolon followed by the words:

however, any revisions or amendments to the above referenced code shall become effective only upon approval by the Tennessee General Assembly or upon approval by the appropriate committee thereof.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 777 — To make certain provisions, physically handicapped and mentally retarded persons.

SENATE AMENDMENT NO. 4

Amend House Bill No. 777 by adding a new subsection (c) to Section 2, such new subsection to read as follows:

(c) This act shall not apply to such family residences wherein handicapped persons reside when such residences are operated on a commercial basis.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes.....	75
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Good, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 75.

SENATE AMENDMENT NO. 3

Amend House Bill No. 777 by deleting Sections 1, 2, 3 and 4 in their entireties and substituting in lieu thereof the following:

Section 1. It is the purpose of the General Assembly by this enactment to remove any zoning obstacles which prevent mentally retarded or physically handicapped persons from living in normal residential surroundings.

Section 2. (a) For the purposes of any zoning law in Tennessee, the classification single family residence shall include any home in which eight (8) or fewer unrelated mentally retarded or physically handicapped persons reside, and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally retarded or physically handicapped persons residing in the home.

(b) This act takes precedence over any provision in any zoning law or ordinance in Tennessee to the contrary.

Section 3. This act shall take effect on becoming a law, the public welfare requiring it.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 84.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2283 — To make certain provisions, Polygraph Examiner's Board.

SENATE AMENDMENT NO. 6

Amend House Bill No. 2283 amend amendment number _____ by striking the word "psychological" and substituting in lieu thereof the word "psychological" in the second paragraph, line 9, of said amendment, Section 19, Sub-Section 1.

SENATE AMENDMENT NO. 9

Amend House Bill No. 2283 by deleting the words "any misdemeanor involving moral turpitude" in subpart (4) in section 8 and by substituting instead the words "who has not been convicted of any misdemeanor involving moral turpitude";

AND FURTHER AMEND, by deleting the words "or a misdemeanor involving moral turpitude" in subpart (3) of the first section 12 and by substituting instead the words "and had never been convicted of a misdemeanor involving moral turpitude";

AND FURTHER AMEND, by deleting the words "misdemeanor involving moral turpitude" in subpart (5) of section 19 and substituting instead the words "has been adjudged guilty of the commission of any misdemeanor involving moral turpitude";

SENATE AMENDMENT NO. 10

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 2, by striking the words "Davidson County" and inserting the words "the residence of the license holder".

SENATE AMENDMENT NO. 11

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 2, by striking the words "but in no such case shall the cost be adjudged against the board".

SENATE AMENDMENT NO. 12

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 4 by striking the words "solely upon the pleadings and the transcript of the proceedings before the board and neither party shall be entitled to introduce new evidence in the circuit court" AND FURTHER AMEND by adding the word "De Novo." in Section 20, sub-section (e) paragraph 4, line 1, following the word "Circuit Court".

SENATE AMENDMENT NO. 13

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 4, by striking the words "The cause shall be determined at the earliest practical date as one having precedence over other litigation, except suits involving state, county and municipal revenue."

SENATE AMENDMENT NO. 14

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 4, by striking the words "appeal to the Supreme Court" and substituting in lieu thereof the words "Civil Court of Appeals".

SENATE AMENDMENT NO. 15

Amend House Bill No. 2283 Section 20, sub-section (e), paragraph 4, by striking the words beginning with "provided" and ending with the "period" at the end of the paragraph.

SENATE AMENDMENT NO. 16

Amend House Bill No. 2283 Section 20, sub-section (e), by striking paragraph five (5) in its entirety.

SENATE AMENDMENT NO. 17

Amend House Bill No. 2283 Section 20, sub-section (e), by striking paragraph six (6) in its entirety.

SENATE AMENDMENT NO. 19

Amend House Bill No. 2283 Section 20, sub-section (f) by striking sub-section (f) in its entirety and substituting in lieu thereof the following:“(f) The Board shall be subject to the rules and regulations of the Tennessee Administrative Procedures Act.”

SENATE AMENDMENT NO. 21

Amend House Bill No. 2283 by adding a new section immediately before the severability and effective date sections as follows:

SECTION . No person licensed under the provisions of this act, except persons employed by a law enforcement or national security agency and acting in the course of their employment, shall make a testing without the subject of the test being made aware that he or she is being tested. Violation of this section shall be a misdemeanor and punished as such.

SENATE AMENDMENT NO. 22

Amend House Bill No. 2283 in Section 4, subsection (a) by adding an additional subpart after subpart (a) (2) as follows:

(3) electrodermal or galvanic skin response pattern as minimum standards of instrumentation.

Mr. Murphy (Shelby) moved that the House concur in Senate Amendments Nos. 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21 and 22.

Mr. King moved that the motion be tabled, which motion failed by the following vote:

Ayes.....	14
Noes.....	52
Present and not voting	11

Representatives voting aye were: Bishop, Brewer, Byrd, Cobb, Davidson (Wayne), DeBerry, Ford (Shelby), Hillis, Kernell, King, Pruitt, Stallings, Turner and Withers — 14.

Representatives voting no were: Ashford, Bell, Bewley, Bissell, Blackburn, Burks, Burleson, Burnett (Fentress), Bussart, Carter, Clark, Darnell, Davidson (Robertson), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gill, Hurley, Johnson, Lanier, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Robinson (Davidson), Scruggs, Stafford, Steinhauer, Tanner, Webb, Wood, Work and Yelton — 52.

Representatives present and not voting were: Cawood, Good, Love, Richardson, Robinson (Hamilton), Robinson (Washington), Shockley, Wallace, Watson, Wolfe and Mr. Speaker McWherter — 11.

Thereupon, the motion to concur in Senate Amendments Nos. 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21 and 22, prevailed by the following vote:

Ayes	67
Noes	12
Present and not voting	5

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Carter, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, Dixon, Elkins, Ellis, Fisher, Fleming, Fuqua, Gill, Hillis, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Stafford, Starnes, Steinhauer, Tanner, Watson, Webb, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 67.

Representatives voting no were: Burnett (Sumner), Byrd, DeBerry, Ford (Shelby), Gaia, Kernell, King, Pruitt, Robinson (Washington), Stallings, Turner and Withers — 12.

Representatives present and not voting were: Brewer, Cawood, Ford (Cocke), Wallace and Wolfe — 5.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1874 — To regulate funds withheld from employee's pay by employers.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1874 by deleting in Section 1 after the word "Tennessee" and before the word "Retirement", the word "Concolidated" and by substituting instead the word "Consolidated",

FURTHER AMEND by deleting in Section 2 the numbers "1978" and by substituting instead the numbers "1979".

Mr. Murphy (Shelby) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	78
Noes	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 78.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1538 — To make certain provisions, bail warrant.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1538 by deleting in its entirety the amendatory language of Section 1 and substituting in lieu thereof the following:

“Section . A defendant arrested in one county on a warrant issued in another county for the commission of an offense for which the maximum punishment is imprisonment for ten years or less is entitled to be admitted to bail in the county of arrest by the same officials and in the same manner as if arrested in the county issuing the warrant, subject to the following provisions:

- (1) The appropriate clerk or magistrate shall fix the amount of bail to be required and shall set it forth on the face of the warrant; and
- (2) The sheriff of the county in which the arrest is made or his or her deputy shall transmit the undertaking of bail to the sheriff of the county from which the warrant issued, who shall return it to the court as provided in Section 40-1222.”

Mr. Murphy (Shelby) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 82.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 269, which motion prevailed.

Senate Joint Resolution No. 269 — Relative to honoring Esther Swink.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 270, which motion prevailed.

Senate Joint Resolution No. 270 — Relative to honoring Police Officer Dennis Birdwell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 273, which motion prevailed.

Senate Joint Resolution No. 273 — Relative to commending Tennessee Y.M.C.A. Youth Legislature.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 163, which motion prevailed.

Senate Joint Resolution No. 163 — Relative to honoring Dr. Otto Morse Kochtitzky.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McKinney, the resolution was concurred in.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1299 — To make provisions, operation of passenger busses.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1299 add a section 2 to read as follows:

"Section 2: by adding a new sentence at the end of section 59-1108 TCA to read as follows:

"The approval of the Commissioner of Transportation for buses in excess of eight (8) feet to operate on streets and roads shall be inoperative unless approved by the legislative body of any city with a population of 170,000 to 250,000 according to the 1970 federal census."

Mr. Robinson (Davidson) moved that the House concur in Senate Amendment No. 2, which motion failed by the following vote:

Ayes.....	48
Noes.....	25
Present and not voting	5

Representatives voting aye were: Bell, Bissell, Blackburn, Bragg, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fleming, Ford (Shelby), Fuqua, Gaia, Hillis, Hood, Johnson, Lanier, Lashlee, Ledford, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Steinhauer, Turner, Wallace, Work, Yelton and Young — 48.

Representatives voting no were: Ashford, Bewley, Bureson, Carter, Cawood, Chiles, Clark, Copeland, Fisher, Ford (Cocke), Gill, Hurley, McAfee, McKinney, Murphy (Davidson), Pruitt, Richards, Robinson (Washington), Shockley, Stafford, Stallings, Watson, Webb, Wolfe and Wood — 25.

Representatives present and not voting were: Good, Longley, Moore, Tanner and Mr. Speaker McWherter — 5.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1951 — To enact Utilities' Cut-off Procedures Act.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1951 by renumbering section 5 as section 6 and adding a new section 5 to read as follows:

The provisions of this act shall only apply to those counties having a metropolitan form of government.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1951 by deleting from the eighth line of Section 3 the words "or by telephone" and by adding after the word and punctuation "certain" in the ninth line of Section 3 a new sentence as follows: "Knocking on the door or ringing the doorbell by the utility representative shall constitute a reasonable, good faith effort."

SENATE AMENDMENT NO. 3

Amend House Bill No. 1951 by deleting the period and quotation mark at the end of the amendment and inserting in lieu thereof "; provided, however, that the utility representative need not knock or ring at any residence where service has been discontinued within the previous four years."

Mr. Chiles moved that the House concur in Senate Amendments Nos. 1, 2 and 3, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	0
Present and not voting	1

Representatives voting aye were: Ashford, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Bureson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne),

Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 80.

Representative present and not voting was: Bell — 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2097 — To regulate voter registration.

The Senate refused to recede from its action in adopting Senate Amendment No. 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Nolan filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 3 to House Bill No. 2097, and that a Conference Committee be appointed to meet with a like committee from the Senate on this bill to prepare a Conference Committee Report for this body's consideration.

BILL NOLAN

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Nolan, Elkins and Gaia as the House Conference Committee on House Bill No. 2097.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2016 — To amend Section 41-356, Code.

The Senate reconsidered passage of the bill, withdrew Senate Amendment No. 1, then passed the bill on third and final reading.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2030 — To make certain provisions, medical assistants.

The Senate reconsidered passage of the bill, reconsidered adoption of Senate Amendment No. 1, withdrew Senate Amendment No. 1, then passed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 552 — Relative to congratulating Coach Troy Foust; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2010 — To regulate prisoner release.

SENATE AMENDMENT NO. 2

Amend House Bill No. 2010 as follows:

Amend Section 3. by striking word "Week" as it appears in the first sentence and substituting the word "month" in its place.

and further amend by striking from Section 3. the words in the first sentence, "limited to the seventh through the fourteenth days" and substituting the words "the month" in their place.

and further amend Section 3 by striking the last sentence in its entirety beginning with the words "unless" and ending with the word "thereof".

and further amend by striking Section 6 in its entirety.

Mr. Murray (Madison) moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	73
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hood, Hurley, Johnson, Kernell, Lashlee, Ledford, Longley, Love, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 73.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1903 — To amend Section 40-4001, Code.

The Senate failed to reconsider its action in nonconcurring in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murray (Madison) moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 1903, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1740 — To repeal Section 40-1115, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1740 by deleting Section 1 of the bill in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-1115, is amended by adding the following sentence to the end of the section:

The magistrate shall be allowed to receive a reasonable fee for reducing the evidence of witnesses to writing or for preserving such evidence by recording.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1740 by adding a new Section 2 and renumbering Section (2) as Section (3) which new section shall say "in all preliminary hearings the Magistrate shall list all witnesses, names and addresses at the preliminary hearing on the arrest warrant.

Mr. Ashford moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	81
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 81.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 329 — To provide exemptions, solar or wind powered heating; cooling or electrical generator systems.

SENATE AMENDMENT NO. 1

Amend House Bill No. 329 by adding a new Section to be designated Section 2, to read as follows:

“This Act, and the exemption provided for therein shall terminate on January 1, 1988 and shall have no effect on taxation or assessment made after such date.”

and further amended by renumbering Section 2 to read Section 3.

Mr. Bissell moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 80.

A motion to reconsider was tabled.

Ms. Gaia moved that the rules be suspended for the purpose of introducing House Resolution No. 185 out of order, which motion prevailed.

House Resolution No. 185 — Relative to expressing appreciation, Miss. Angela Murphy — By Gaia, Byrd, DeBerry, Turner, Kernell, Ford (Shelby), King, Brewer, Withers, Gill, Moore, Ashford, Martin and Murphy (Shelby).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Gaia, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

395 — To make certain provisions, teachers' retirement.

The Senate reconsidered passage of the bill, adopted Senate Amendment No. 5, then passed the bill on third and final reading.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 395 — To make provisions, retirement allowance, retired teachers, general employees.

SENATE AMENDMENT NO. 5

Amend House Bill No. 395 by changing the figure Six percent (6%) in subsection (1) of Section 1 to read "five percent (5%)."

and further amend by adding a new subsection which shall read as follows:

"(5) Payment of the allowances provided above shall be made solely from such appropriations as are contained in the General Appropriations Act for this purpose. In the event the amount appropriated is insufficient to pay said allowances in full, priority shall be given to increasing the allowance to persons receiving less than \$5,000.00 per year, as defined herein, by the full five (5%) percent, with any remaining appropriation being proportionately divided between persons receiving between \$5,000.00 and \$8,500.00 and those receiving in excess of \$8,500.00."

Mr. McKinney moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2437 — To amend Section 53-1301, Code.

The Senate refused to recede from its action in adopting Senate Amendment No. 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Bragg filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 2 to House Bill No. 2437, and that a Conference Committee be appointed to meet with a like committee from the Senate on this bill to prepare a Conference Committee Report for this body's consideration.

BRAGG

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Bragg, Young and Mr. Speaker McWherter as the House Conference Committee on House Bill No. 2437.

RECESS

On motion of Mr. Hillis, the House stood in recess for the purpose of presenting a gift to Mr. Speaker McWherter.

The Speaker was presented a Weatherby Regency 12 Gauge Shotgun by the Members of the House, the Sergeants-at-Arms, and the Constitutional Officers.

The Speaker expressed his appreciation.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2472 — To regulate registration of voters, certain counties.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2472 by adding the following new Section 2 to read as follows:

SECTION 2. The provisions of this act shall only apply to the county primary if one is held in 1978 or to the first election held after the passage of this act and such provisions contained herein shall apply to no other elections.

and renumbering the last section accordingly.

Mr. Miller moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	1
Present and not voting	1

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 80.

Representative voting no was: Nolan — 1.

Representative present and not voting was: Stafford — 1.

A motion to reconsider was tabled.

On motion of Mr. Tanner, House Bill No. 1343 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Tanner, House Bill No. 1343 was withdrawn from the House.

MOTION FILED UNDER RULE NO. 52

MR. SPEAKER: I wish to advise the House that at a later date I will make a motion to recall House Resolution No. 147 from the Committee on Transportation for the purpose of placing said bill on the Calendar for third and final reading, as provided for in Rule No. 52.

RICHARDS

Under the rules, the motion lies over.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1976 — To amend Sections 13-1607 and 13-1608, Code.

The Senate reconsidered passage of the bill, adopted Senate Amendment No. 2, then passed the bill on third and final reading, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1976 — To amend Sections 13-1607 and 13-1608, Code.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1976 by adding the following section to be designated as Section 1 and by renumbering the remaining sections accordingly:

SECTION 1. Tennessee Code Annotated, Section 13-1607, is amended in Item (14) by deleting the words "make equity capital loans" and substituting instead the words "provide equity capital"; by deleting the phrase between the words "code" and "provided, however" and substituting instead the words "which are organized pursuant to these provisions and which will be subject to the rules and regulations of the Small Business Administration as a licensee,"; by deleting the words "loan or loans" and substituting instead the word "participation"; and by deleting the words "and which are secured by debentures representing the ratio of stock which the loan bears to total equity capital" and by substituting instead the words "and may be in the form of certificates or other instruments, not exceeding the ratio of stock which the participation bears to the total equity capital from other sources."

Mr. Naifeh moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	0
Present and not voting	3

Representatives voting aye were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Turner, Watson, Webb, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 82.

Representatives present and not voting were: Murphy (Davidson), Wallace and Wolfe — 3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1179 — To amend Section 70-2207, Code.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 3 and 4.

The Speaker appointed a Conference Committee composed of Senators Albright, Moore and O'Brien to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1179.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Ellis filed the following motion in writing, which motion prevailed.

MR. SPEAKER: I move you, sir, that under House Rule No. 70, a Conference Committee of three (3) members from the House be appointed to meet with a like committee from the Senate to resolve the differences between the two bodies on Senate Bill No. 1179.

ELLIS

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Gill, Lashlee and Ellis as the House Conference Committee on Senate Bill No. 1179.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 85

Representatives present were: Ashford, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burlison, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 551 — Relative to creating study commission, impact of federal government reorganization — By McKinney.

Under the rules, House Joint Resolution No. 551 was referred to the Committee on Calendar and Rules.

House Resolution No. 170 — Relative to studying malnutrition among children in Tennessee — By Ozment.

Under the rules, House Resolution No. 170 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2596 — To amend Section 16-501, Code — By Starnes, Davis and Robinson (Hamilton).

Passed first reading.

House Bill No. 2598 — To make certain provisions, housing authorities — By Murphy (Shelby).

Passed first reading.

House Bill No. 2599 — To amend Section 16-236, Code — By Burnett (Fentress).

Passed first reading.

HOUSE BILLS ON SECOND READING

House Bill No. 2595 — To make certain provisions, Board of School Commissioners, Lincoln County.

Passed second reading and held without reference.

House Bill No. 2597 — To regulate compensation, Board of Education members, Sullivan County.

Passed second reading and held without reference.

STATEMENT ON HOUSE BILL NO. 2588

MR. SPEAKER:

I object to the passage of House Bill 2588 relative to a metropolitan form of government in Sullivan County. I object to the passage of this bill because I represent Hawkins County as well as a portion of Sullivan County and since a part of Kingsport is in Hawkins County, I have serious reservations about the effect of a metropolitan government in Sullivan County on the residents of Kingsport who actually live in Hawkins County.

BRUCE HURLEY.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 737, 1563, 1711, 1764, 1777, 2021, 2103, 2412, 2415, 2510 and 2522; also, House Joint Resolutions Nos. 363, 523, 524 and 525; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2194 and 2588, and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1586, 1779, 1852, 1966, 2020, 2258, 2260, 2275, 2491, 2504, 2523, 2548, 2559, 2563, 2564 and 2583; House Resolutions Nos. 112, 118, 120, 131, 134, 143, 144, 150, 152, 158 and 161; and House Joint Resolutions Nos. 452, 460, 466, 472 and 555; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1586, 1779, 1852, 1966, 2020, 2258, 2260, 2275, 2491, 2504, 2523, 2548, 2559, 2563, 2564 and 2583; House Resolutions Nos. 112, 118, 120, 131, 134, 143, 144, 150, 152, 158 and 161; and House Joint Resolutions Nos. 452, 460, 466, 472 and 555.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1586, 1779, 1852, 1966, 2020, 2258, 2260, 2275, 2491, 2504, 2523, 2548, 2559, 2563, 2564 and 2583; also, House Joint Resolutions Nos. 452, 460, 466, 472 and 555; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 737, 1563, 1586, 1711, 1764, 1777, 1779, 1852, 1966, 2020, 2103, 2258, 2260, 2275, 2412, 2415, 2491, 2504, 2510, 2522, 2523, 2548, 2559, 2563, 2564 and 2583; and House Joint Resolutions Nos. 363, 452, 460, 466, 472, 523, 524, 525 and 555; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1898, 2029, 2206, and 2399, and House Joint Resolution Nos. 337 and 458, with his approval.

EDDIE SISK,
Counsel to the Governor.

LOCAL BILL REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2597.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2021;

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 625, 1479, 1714, 1808, 1842, 1890, 1917, 1967, 2094, 2168, 2192, 2274, 2281, 2315, 2317, 2403, 2455, 2483 and 2524; also, Senate Joint Resolutions Nos. 226, 239, 248, 252, 256, 257, 258, 262, 263, 267, 269, 270, 273, 275, 276, 277, 279 and 281; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 625, 1479, 1714, 1808, 1842, 1890, 1917, 1967, 2094, 2168, 2192, 2274, 2281, 2315, 2317, 2403, 2455, 2483 and 2524; Senate Joint Resolutions Nos. 226, 239, 248, 252, 256, 257, 258, 262, 263, 267, 269, 270, 273, 275, 276, 277, 279 and 281.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 550, 897, 2280 and 2385; also, Senate Joint Resolutions Nos. 155, 163, 193, 240, 245, 249, 251, 253, 260 and 261; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 550, 897, 2280, 2385; and Senate Joint Resolutions Nos. 155, 163, 193, 240, 245, 249, 251, 253, 260 and 261.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 777, 1701, 1951, 1962, 1976, 2010, 2061, 2154, 2338, 2365, 2367, 2406, 2433, 2472, 2476, 2541, 2544 and 2562; House Resolutions Nos. 123, 146, and 149; and House Joint Resolutions Nos. 328, 408, 439, 504, 519, 529, 530, 532 and 537; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 777, 1701, 1951, 1962, 1976, 2010, 2061, 2154, 2338, 2365, 2367, 2406, 2433, 2472, 2476, 2541, 2544 and 2562; House Resolutions Nos. 123, 146 and 149; House Joint Resolutions Nos. 328, 408, 439, 504, 519, 529, 530, 532 and 537.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 777, 1701, 1951, 1962, 1976, 2010, 2061, 2154, 2338, 2365, 2367, 2406, 2433, 2472, 2476, 2541, 2544 and 2562; also, House Joint Resolutions Nos. 328, 408, 439, 504, 519, 529, 530, 532 and 537; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 163, 395, 1090, 1535, 1538, 1660, 1721, 1742, 1755, 1806, 1809, 1821, 1828, 1834, 1856, 1874, 1914, 1943, 2016, 2028, 2030, 2034, 2045, 2070, 2076, 2130, 2139, 2159, 2225, 2284, 2299, 2301, 2318, 2327, 2330, 2342, 2355, 2392, 2393, 2408, 2444, 2448, 2486, 2487, 2492, 2519, 2520 and 2521; and House Resolutions Nos. 100, 122, 130, 151, 157, 159, 162, 165, 166, 167 and 176; and House Joint Resolutions Nos. 135, 418, 420, 422, 459, 467, 477, 480, 484, 486, 488, 489, 491, 494, 511, 514, 516, 518, 520, 522, 527, 531, 533 and 535; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2533, 2535, 2538, 2545, 2547, 2551, 2554, 2555, 2556, 2557, 2561, 2565, 2566, 2567, 2568, 2574, 2577, 2581 and 2584; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following:

House Bills Nos. 163, 395, 1090, 1535, 1538, 1660, 1721, 1742, 1755, 1806, 1809, 1821, 1828, 1834, 1856, 1874, 1914, 1943, 2016, 2028, 2030, 2034, 2045, 2070, 2076, 2130, 2139, 2159, 2225, 2284, 2299, 2301, 2318, 2327, 2330, 2342, 2355, 2392, 2393, 2408, 2444, 2448, 2486, 2487, 2492,

2519, 2520, 2521, 2533, 2535, 2538, 2545, 2547, 2551, 2554, 2555, 2556, 2557, 2561, 2565, 2566, 2567, 2568, 2574, 2577, 2581 and 2584; House Resolutions Nos. 100, 122, 130, 151, 157, 159, 162, 165, 166, 167 and 176; House Joint Resolutions Nos. 135, 418, 420, 422, 459, 467, 477, 480, 484, 486, 488, 489, 491, 494, 511, 514, 516, 518, 520, 522, 527, 531, 533 and 535.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 163, 395, 1090, 1535, 1538, 1660, 1721, 1742, 1755, 1806, 1809, 1821, 1828, 1834, 1856, 1874, 1914, 1943, 2016, 2028, 2030, 2034, 2045, 2070, 2076, 2130, 2139, 2159, 2225, 2284, 2299, 2301, 2318, 2327, 2330, 2342, 2355, 2392, 2393, 2408, 2444, 2448, 2486, 2487, 2492, 2519, 2520, 2521, 2533, 2535, 2538, 2545, 2547, 2551, 2554, 2555, 2556, 2557, 2561, 2565, 2566, 2567, 2568, 2574, 2577, 2581 and 2584; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2542 and 2572; House Resolutions Nos. 137, 153, 163, 181, 182, 183 and 185; and House Joint Resolutions Nos. 225, 367, 368, 417, 475, 476, 534, 544, 547, 549, 552 and 553; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 329, 1740, 2283 and 2576; House Resolutions Nos. 124, 136, 145, 156, 160, 168, 169, 171, 172, 173, 174, 175, 177, 178, 179 and 180; and House Joint Resolutions Nos. 196, 386, 468, 470, 490, 492, 493, 505, 506, 513, 517, 521, 526, 536, 540, 542, 543, 545 and 546; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 329, 1740, 2283, 2542, 2572 and 2576; House Resolutions Nos. 124, 136, 137, 145, 153, 156, 160, 163, 168, 169, 171, 172, 173, 174, 175, 177, 178, 179, 180, 181, 182, 183 and 185; House Joint Resolutions Nos. 196, 225, 367, 368, 386, 417, 468, 470, 475, 476, 490, 492, 493, 505, 506, 513, 517, 521, 526, 534, 536, 540, 542, 543, 544, 545, 546, 547, 549, 552 and 553.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 329, 1740, 2283, 2542, 2572 and 2576; also, House Joint Resolutions Nos. 196, 225, 367, 368, 386, 417, 468, 470, 475, 476, 490, 492, 493, 505, 506, 513, 517, 521, 526, 534, 536, 540, 542, 543, 544, 545, 546, 547, 549, 552 and 553; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 135, 418, 420, 422, 459, 467, 477, 480, 484, 486, 488, 489, 491, 494, 511, 514, 516, 518, 520, 522, 527, 531, 533 and 535; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1090, 1535, 1538, 1660, 1721, 1742, 1755, 1806, 1809, 1821, 1828, 1834, 1856, 1874, 1914, 2030, 2034, 2045, 2070, 2076, 2130, 2139, 2159, 2225, 2284, 2299, 2301, 2318, 2327, 2330, 2342, 2355, 2392, 2393, 2408, 2444, 2448, 2486, 2487, 2492, 2519, 2520, 2521, 2533, 2538, 2544, 2545, 2547, 2551, 2554, 2555, 2556, 2557, 2561, 2562, 2565, 2566, 2567 and 2572; and House Joint Resolutions Nos. 135, 225, 367, 417, 418, 420, 422, 459, 467, 475, 476, 477, 480, 484, 486, 488, 489, 491, 494, 511, 514, 516, 518, 520, 522, 527, 531, 533, 534, 535, 547, 549, 552 and 553; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 163, 329, 395, 777, 1701, 1740, 1943, 1951, 1962, 1976, 2010, 2016, 2028, 2061, 2154, 2283, 2338, 2365, 2367, 2406, 2433, 2472, 2476, 2535, 2541, 2542, 2568, 2574, 2576, 2577, 2581 and 2584; and House Joint Resolutions Nos. 196, 328, 368, 386, 408, 439, 468, 470, 490, 492, 493, 504, 505, 506, 513, 517, 519, 521, 526, 529, 530, 532, 536, 537, 540, 542, 543, 544, 545 and 546; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

All bills and joint resolutions presented to the Governor subsequent to March 24, 1978, for his action, being within five days of the recess of the Second Regular Session of the Ninetieth General Assembly, prevents the return of said bills to the House of Representatives within the

five-day period, and accordingly, the final action taken by the Governor will be filed by him in the Secretary of State's Office, all in compliance with Article III, Section 18 of the Constitution of Tennessee.

On motion of Mr. Burnett (Fentress), the House recessed until 4:00 p.m. Monday, April 24, 1978, in accordance with House Joint Resolution No. 555.

Appendix of House Bills and House Joint Resolutions presented to the Governor with his action thereon as recorded in the Office of the Secretary of State in accordance with Article III, Section 18 of the Constitution of the State of Tennessee.

MESSAGE FROM GOVERNOR TO SECRETARY OF STATE

APRIL 2, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 572, 1757, 1799, 1910 and 1996, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 3, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1689, 1792, 1805, 1918, 2025, 2026, 2267, 2491, 2504, 2510, 2522, 2523, 2548, 2559, 2563, 2564 and 2583, and House Joint Resolution Nos. 363, 452, 460, 466, 472, 523, 524, 525 and 555 with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 5, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1563, 1586, 1711, 1764, 1779, 1852, 1966, 2103, 2119, 2258, 2260, 2275, 2364 and 2412 with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 5, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bill No. 737 with his veto.

EDDIE SISK,
Counsel to the Governor.

Dear Secretary Crowell:

I hereby veto House Bill 737.

House Bill 737 would enact the "Tennessee Small Business Purchasing and Contracting Act". The Act would reserve for small businesses a set-aside of approximately five percent (5%) of all purchases by and for every State agency that purchases more than \$100,000 in goods and services annually. A small business is defined in terms of any business, whether based in Tennessee or elsewhere, other than one whose annual sales exceed \$1,000,000; annual retail sales and receipts exceed \$250,000; and whose employees exceed 50.

Throughout my career of public service I have consistently supported and encouraged the efforts of small businesses, however, I am persuaded by several factors that enactment of House Bill 737 would result in an undue burden on the State of Tennessee and its taxpayers.

First, it is estimated that the annual costs to the State of recordkeeping and investigation necessitated by the enactment of this legislation would be at least \$255,000. This additional cost is not budgeted.

Second, based on data compiled by the Department of General Services as of April of 1977, it is estimated that the built-in set-aside system could increase the costs of goods and services purchased by the State by at least \$5,000,000. It is important to consider that this figure represents a conservative estimate which eventually must be borne by the taxpayer.

Finally, House Bill 737 would expand the authority of the Department of General Services to encompass the Tennessee Higher Education Commission and all other exempt State agencies with respect to enforcement of the set-aside provision. Such a requirement unavoidably splits responsibilities and destroys coordination of efforts at the expense of sound management practices.

If is for these reasons that I take this action.

RAY BLANTON

APRIL 7, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1777 and 2020, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 7, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 2327, 2472, 2492, 2519, 2520, 2521, 2533, 2535, 2538, 2541, 2542, 2544, 2545, 2547, 2551, 2554, 2555, 2557, 2561, 2562, 2565, 2566, 2567, 2568, 2572, 2574, 2576, 2577, 2581, and 2584, and House Joint Resolution Nos. 196, 225, 328, 386, 408, 417, 418, 420, 422, 439, 459, 467, 468, 470, 475, 476, 477, 480, 484, 486, 488, 489, 490, 491, 492, 493, 494, 504, 505, 506, 511, 513, 514, 516, 517, 518, 519, 520, and 521, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 7, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Joint Resolution Nos. 522, 526, 529, 531, 532, 533, 534, 535, 536, 537, 540, 542, 543, 544, 545, 546, 547, 549, 552, and 553, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 11, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 163, 329, 1701, 1721, 1821, 1828, 1834, 1874, 1914, 1962, 2028, 2034, 2284, 2355, 2408, 2448 and 2556; and House Joint Resolution Nos. 367, 368 and 527, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 12, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 2021 and 2415, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 13, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1535, 1538, 1740, 1742, 1951, 1976, 2010, 2016, 2061, 2130, 2159, 2301, 2318, 2365, 2367, 2392, 2433 and 2486, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 14, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 777, 1090, 1806, 1809, 2030, 2045, 2076, 2139, 2154, 2225, 2299, 2330, 2338, 2393, 2406, 2444, 2476 and 2487, and House Joint Resolution Nos. 135 and 530, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 18, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bill Nos. 395, 1755 and 2283, with his approval.

EDDIE SISK,
Counsel to the Governor.

APRIL 18, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bills Nos. 1943, 2070 and 2342 without his signature.

EDDIE SISK,
Counsel to the Governor.

House Bills Nos. 1943, 2070 and 2342 become law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

APRIL 18, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bill No. 1660, with his veto.

EDDIE SISK,
Counsel to the Governor.

Dear Mr. Secretary:

I hereby veto House Bill 1660.

House Bill 1660 would impose a moratorium on annexation between the time of appointment of a "study commission" or a metropolitan government charter commission and three days following the special referendum election to approve or disapprove a proposed metropolitan government charter.

The bill is unquestionably one of general application and in no way limited to the Knox County situation for which the bill was apparently intended. Although Shelby County is exempt by population from the provisions of House Bill 1660, other cities currently in the process of annexation activity would be unfairly subjected to the hiatus created by House Bill 1660. Under a literal interpretation of the language of the bill, all that would be required to block annexation would be the appointment of a "study commission" by an unspecified appointing authority. The appointment would stop any annexation effort until three days after the metropolitan referendum election, if, in fact, any such election were ever held. It should be noted in that regard that nowhere in House Bill 1660, which amends the general annexation statutes, is there a provision mandating the holding of such a referendum election. On the basis of these considerations I am persuaded that enactment of House Bill 1660 would unduly and

unjustly interfere with the processes of local government in Tennessee.

It is for these reasons that I take this action.

RAY BLANTON

APRIL 18, 1978

MR. SECRETARY OF STATE:

I am directed by the Governor to transmit herewith: House Bill No. 1856, with his veto.

EDDIE SISK,
Counsel to the Governor.

Dear Mr. Secretary:

I hereby veto House Bill 1856.

House Bill 1856 would make the current provisions of the Tennessee Sanitary Landfill Areas Act, which pertains to approval of placement of sanitary landfills, applicable to Metropolitan Davidson County. In addition, it provides "that any parcels of land in such county being used and operated in 1978 for a state registered solid waste disposal system or landfill area, any parcels of land contiguous thereto, or any parcels within six (6) miles of such existing landfill shall not be approved used or operated for a solid waste disposal system after 1979".

I am persuaded that enactment of House Bill 1856 would adversely affect Davidson County. It would eliminate the remaining one to two years of operation at the present Bordeaux landfill and would prohibit a possible four year extension of additional usage of this site. Furthermore, the language of this proposal could be interpreted so as to apply to the Nashville Thermal Transfer Corporation. Any interpretation which would cause the discontinuance of the Nashville Thermal Transfer Corporation would unquestionably be detrimental to the Nashville community and the State of Tennessee.

It is for these reasons that I take this action.

RAY BLANTON